

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CONSERVATION LAW FOUNDATION, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
EXXON MOBIL CORPORATION,)	Case 1:16-cv-11950 (MLW)
EXXONMOBIL OIL CORPORATION, and)	
EXXONMOBIL PIPELINE COMPANY,)	
)	
Defendants.)	
)	
)	

MOTION TO DISMISS

Defendants, Exxon Mobil Corporation, ExxonMobil Oil Corporation, and ExxonMobil Pipeline Company (collectively “ExxonMobil”), pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), hereby move the Court to dismiss the Amended Complaint filed by Plaintiff Conservation Law Foundation (“CLF”) because CLF continues to lack standing to assert claims previously dismissed under the law of this case, the Court lacks subject matter jurisdiction to adjudicate the alleged violations, and the Amended Complaint fails to state a claim for relief. In support of this Motion, the attention of the Court is respectfully directed to ExxonMobil’s Memorandum of Law in Support of Defendants’ Motion to Dismiss the Amended Complaint, filed herewith, and to any additional arguments to be properly presented in support of the requested relief in this motion.

REQUEST FOR ORAL ARGUMENT

Defendants respectfully request oral argument on this Motion.

Respectfully submitted this 20th day of December, 2017,

EXXON MOBIL CORPORATION,
EXXONMOBIL OIL CORPORATION,
EXXONMOBIL PIPELINE COMPANY

By their attorneys,

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ExxonMobil Pipeline Company*

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that the parties have previously conferred with respect to the relief requested in this motion and have attempted in good faith to resolve or narrow the issue, but have been unable to do so.

/s/ Deborah E. Barnard _____

Deborah E. Barnard

CERTIFICATE OF SERVICE

I, Deborah E. Barnard, hereby certify that, in accordance with Local Rule 5.2(b), this motion was filed through the ECF system on December 20, 2017 and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Deborah E. Barnard _____

Deborah E. Barnard